



IOWA DEPARTMENT OF NATURAL RESOURCES

June 16, 2005

For immediate release

- 1. Water quality standards on EPC agenda for June**
- 2. Water quality improvement meetings scheduled for Maquoketa, Volga Rivers**
- 3. DNR enforcement actions**

WATER QUALITY STANDARDS ON EPC AGENDA FOR JUNE

MITCHELLVILLE – Revising the state’s water quality standards will be a discussion item on the June 20 agenda for the Environmental Protection Commission meeting.

The regular meeting of the commission will be preceded by a presentation and tour of the Neal Smith Wildlife Refuge in Prairie City, starting at 4:30 p.m. on June 19.

Commissioners will also tour the Metro Waste Authority Landfill at 8:30 a.m. on June 20 prior to the EPC meeting.

“We will be proposing changes for warm water stream classifications and a protocol that will be used to determine which streams get which classification,” said Chuck Corell, chief of the water quality bureau.

Corell added that the original timeline for presenting proposals to protect streams with very low flow will be delayed one month. “We are continuing to research and talk to our technical advisers to come up with a way to protect these very small streams without a disproportionate amount of economic impact,” he said.

In other business, commissioners will be asked to approve intended use plans for state revolving funds (SRF), including the

- Drinking Water SRF for federal fiscal year 2006, and
- An addition to the fourth quarter update for the Clean Water SRF for federal fiscal year 2005.

Quarterly updates and amendments allow the DNR to accept applications for these low interest loan programs throughout the year.

A number of contracts for monitoring, stream habitat assessment and solid waste alternatives are also on the agenda.

The EPC will meet at 10 a.m., at the Metro Waste Authority Landfill on U.S. Highway 163 about nine miles east of Des Moines city limits. Public participation is scheduled for 10:30 a.m. The meeting is open to the public.

The complete agenda is as follows:

- Approval of Agenda
- Approval of Minutes
- Director's Remarks
- Solid Waste Alternatives Program – Recommendations
- Notice of Intended Action - Amendments to Chapter 136, Financial Responsibility Requirements for Underground Storage Tanks
- Amendments to Chapter 65 – Open Feedlot Regulations: Termination of regular rule making proceedings
- Contract - University of Northern Iowa's (UNI) Iowa Waste Reduction Center – Small Business Assistance Program
- Contract - Linn County Board of Health - Air Quality Program
- Contract – Polk County Board of Supervisors - Air Quality Program
- Proposed Rule - Chapter 23 – NESHAP Update
- University Hygienic Laboratory Introduction
- Contract- University of Iowa Hygienic Lab - Air Quality Bureau Support
- Contract – University of Iowa Hygienic Laboratory – Beach Monitoring for 2005
- Contract – University Hygienic Laboratory – Impaired Waters Monitoring
- Contract - University Hygienic Laboratory - Environmental Monitoring and Laboratory Services
- Contract - Iowa Cooperative Fish and Wildlife Research Unit at Iowa State University for Stream Habitat Assessment
- Contract – Iowa State University – Wetland Performance Monitoring
- Contract – Iowa State University – Intensive Lake Monitoring
- Contract – Gold Systems, Inc. – Web-based Data Entry Program
- FFY 2006 Drinking Water State Revolving Fund Intended Use Plan
- Clean Water State Revolving Loan Fund – Addition to 2005 Intended Use Plan Fourth Quarter Update
- Proposed Rule: Chapter 61 - Water Quality Standards
- General Discussion
- Items for next month's meeting
- Upcoming Meetings
July 18, 2005

More information about the agenda items can be found on the DNR Web site under Commissions and Boards at www.iowadnr.com.

The members of the commission are Darrell Hanson, chair, Manchester; Lisa Davis-Cook, West Des Moines; Jerry Peckum, Jefferson; Francis Thicke, Fairfield; Donna Buell, Spirit Lake; Mary Gail Scott, Cedar Rapids; David Petty, Eldora; Suzanne Morrow, Storm Lake; and Henry Marquard, Muscatine. The director of the DNR is Jeff Vonk.

For more information, contact Karen Grimes at (515) 281-5135.

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WATER QUALITY IMPROVEMENT MEETINGS SCHEDULED FOR MAQUOKETA, VOLGA RIVERS

MANCHESTER — The DNR is asking for the help of eastern Iowans in improving the water quality of the Maquoketa and Volga rivers.

Bacteria levels are threatening both rivers' ability to support their designated use for primary contact recreation, like swimming. The DNR is asking for your input on how to improve the rivers' water quality at five upcoming public meetings.

Much of the meetings will be dedicated to listening to local residents' concerns and opinions regarding the rivers' water quality. A short presentation on water monitoring results in the Maquoketa and Volga rivers will also be offered.

If you have concerns and questions about the rivers' water quality or ideas to improve it, please send those comments to the DNR by June 30. Your ideas and concerns will be addressed at the public meetings. Questions and comments can be submitted to Jerry Neppel at jerry.neppel@dnr.state.ia.us or at (515) 242-6149, or Marian Maas at (515) 281-8143 or at marian.maas@dnr.state.ia.us.

Following are the details of the public input meetings:

Maquoketa River:

Manchester: July 7, 10 a.m., Pizza Ranch, 1100 West Main St.

Maquoketa: July 13, 7 p.m., Hurstville Interpretative Center, 18670 63rd St., Maquoketa (one mile north of Maquoketa on US Hwy 61)

Monticello: July 14, 7 p.m., Monticello Community Building (above City Hall), 200 East First Street

Volga River:

Elkader: July 6, 7 p.m., Clayton County Conservation Center, 6 miles south of Elkader on Hwy. 13

Fayette: July 7, 7 p.m., Wildwood Nature Center, four miles north of Fayette on

Hwy. 150

Both the Maquoketa River and Volga River are included on Iowa's 303(d) impaired waters list due to high levels of fecal coliform bacteria. The water quality improvement plan, also called a Total Maximum Daily Load (TMDL), will identify potential sources of the bacteria, investigate the severity of the problem, and suggest improvements to the river and land draining to the river that would reduce the amount of bacteria.

The Maquoketa River watershed includes the following counties: Fayette, Clayton, Buchanan, Delaware, Dubuque, Linn, Jones, Jackson and Clinton. The Volga River watershed is located in Fayette and Clayton counties.

For more information, contact Jerry Neppel at 515-242-6149 or by e-mail at jerry.neppel@dnr.state.ia.us, or Marian Maas at (515) 281-8143 or by e-mail at marian.maas@dnr.state.ia.us.

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DNR ENFORCEMENT ACTIONS

DES MOINES — The DNR took the following enforcement actions between March and May 2005, unless otherwise noted. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty. The following are only briefs; please contact Jessie Rolph Brown of the DNR for more information at (515) 281-5131.

- Iowa Quality Beef Supply Cooperative, of Ames, was ordered to comply with effluent limitations of its NPDES (National Pollutant Discharge Elimination System) permit and to perform all monitoring, testing and reporting according to its NPDES permit. The cooperative was also ordered to properly operate and maintain all treatment units and pumps, make necessary changes to reduce pollutant loads to the treatment plant and to pay a \$10,000 penalty. The order is in regard to a beef slaughterhouse in Tama.
- Ray Schmitz, of Jesup, was ordered to submit a complete manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regard to failure to submit an MMP for a site in Black Hawk County. The penalty has been paid.
- Scott Antisdell, of Glidden, was ordered to submit an updated manure management plan (MMP) and annual compliance fee, and to pay a \$750 penalty. The order is in regard to failure to submit an MMP and fee for a site in Carroll County.
- Dennis Kuehl, of Atlantic, was ordered to submit a complete manure management plan (MMP) and fee, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Cass County. The penalty has been paid.

- Goettsch Trucking and Seed, Inc., and Thomas Goettsch, both of Galva, were ordered to retain a certified groundwater professional to complete a site assessment and work plan, and develop a remedial action plan if necessary. Goettsch was also ordered to initiate excavation and proper disposal of all contaminated soils associated with an aboveground storage tank, document proper disposal to the DNR, and complete a soil and groundwater site assessment after the work plan is approved. Goettsch was also ordered to submit the site assessment report and to develop a remedial action plan if necessary. In addition, Goettsch was ordered to pay a \$5,500 penalty. The order is in regard to a diesel fuel spill from an aboveground storage tank at a site in Galva. The order has been appealed.
- Fedler and Company, and Tony Fedler, both of Mount Pleasant, were ordered to retain a certified groundwater professional to complete a site assessment and work plan, and develop a remedial action plan if necessary. In addition, Fedler was ordered to pay a \$3,670 penalty. The order is in regard to potential petroleum spills from aboveground storage tanks at a site in Mount Pleasant.
- Ivan Kenney, of Bagley, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Guthrie County. The order has been appealed. This order was taken in February.
- H & H Trailer, Co., of Braddyville, was ordered to comply with the requirements of its construction permit and to pay a \$1,500 penalty. The order is in regard to air quality violations from a paint booth.
- Martin Fender, of Glenwood, was ordered to cease open burning, dispose all solid waste on his site in Mills County and pay a \$1,000 penalty. The order is in regard to the open burning of cardboard, rubber automotive belts and miscellaneous solid waste that produced large volumes of black smoke and other air pollutants, as well as the open dumping of household waste, tires and miscellaneous solid waste.
- Timothy Irwin Bell and Tom Bell, dba Bell's Melons, of Lone Tree and Conesville, respectively, and Bradley T. Bell, of Conesville, were ordered to removed and properly dispose all solid waste at a site in Conesville, and to pay a \$3,000 penalty. The order is in regard to open burning of plastic used in melon fields and miscellaneous solid waste.
- The City of Sioux City was ordered to pay a \$7,000 penalty due to failure to maintain proper litter control at the City of Sioux City 28th Street Landfill.
- Mehmert Tiling, Inc., of Cresco, was ordered to permanently close underground storage tanks (USTs), conduct a soil and groundwater investigation, submit a closure report, immediately cease all operation of USTs, document closure of USTs and pay a \$10,000 penalty. The order is in regard to five USTs at a site in Saratoga.

- Paul Launderville, dba Midwest Tennis and Track Co., of Denison, was ordered to cease the open burning and open dumping of trade wastes, to properly dispose all solid waste on his property and to pay a \$7,500 penalty. The order is in regard to open dumping and open burning at a warehouse in Denison that created large volumes of black smoke and other air pollutants. The order has been appealed.
- David Carlisle, of Shannon City, was ordered to remove all vehicles and other solid waste from his property in Ringgold County, submit documentation of proper disposal and pay a \$3,500 penalty. The order is in regard to the open dumping of waste tires, scrap metal, junk cars, batteries and other miscellaneous solid waste.
- Ruby Field, Inc., and Ed Grafke, both of Sigourney, were ordered to permanently close an underground storage tank (UST), complete a soil and groundwater investigation, submit a tank closure report and to pay a \$5,112 penalty. The order has been appealed. This order was taken in December 2004.
- O R Entertainment, dba Ringo's, of Mason City, was ordered to apply for a water supply operation permit and to pay a \$1,025 penalty. The order is in regard to operating a drinking water supply without a permit.
- The City of Atlantic was ordered to cease illegal burning, to properly dispose all solid waste and pay a \$10,000 penalty. The order is in regard to open burning at a city tree burn site. The order has been appealed.
- The DNR has partially withdrawn an administrative order issued to Richard Caves, of Michigan, and Charlotte Caves, of Oskaloosa. In 2002, the order was issued in regard to hazardous condition violations. Charlotte Caves did not appeal the order, and the order is now final in regard to her. Richard Caves timely appealed, and the DNR has referred the matter to the U.S. Environmental Protection Agency for further enforcement. Therefore, the DNR administrative order is withdrawn in regard to Richard Caves.

Consent Orders

A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

- Miles McDougall, of LeMars, agreed to a payment schedule for a \$1,500 penalty. The penalty is from a 2004 administrative order regarding violations of animal feeding operations regulations.
- Gary Wedewer, of New Vienna, agreed to pay a \$1,875 penalty from a 2004 administrative order regarding animal feeding operation violations. The DNR removed the following violation from the order: Application of confinement feeding operation manure to land while not properly certified to do so. The penalty has been paid.

- David Kistenmacher and Holstein Dairy, of Holstein, agreed to pay a \$1,500 penalty for a 2004 administrative order regarding animal feeding operation violations. The penalty has been paid.
- Racer's Bar and Grill, of Algona, agreed to a payment schedule for a \$500 penalty from a 2004 administrative order regarding drinking water violations.
- Ponderosa West, LLP, of New Richland, Minn., agreed to pay a \$10,000 penalty. The consent order is in regard to a 2004 manure spill at a swine confinement in Humboldt County. The penalty has been paid.
- Paul and Percilla Lattin, of Shenandoah, agreed to pay \$3,000 of a \$6,000 penalty from a 2004 administrative order issued to the Lattins and Garlen E. Perry for solid waste and air quality violations. Perry will be responsible for the other \$3,000, and the DNR will continue to work with Perry on his portion of the penalty.
- Don Stickle and Sons Farms, Inc., of Anamosa, agreed to pay a \$10,000 penalty. The order is in regard to a manure discharge to an unnamed tributary of the Wapsipinicon River in Linn County. The penalty has been paid.

For more information, contact Jessie Brown at (515) 281-5131 or Jessie.Brown@dnr.state.ia.us.